

281—19.13(256E) Oversight—corrective action—contract renewal—revocation.

19.13(1) *Monitoring.* The state board shall monitor the performance and compliance of each charter school the state board approves, including collecting and analyzing data according to the charter school contract in order to meet the requirements of this chapter. Such oversight may include inquiries and investigation of the charter school so long as the activities are consistent with the intent of this chapter, adhere to the terms of the charter school contract, and do not unduly inhibit the autonomy granted to the charter school. Any performance report resulting from an inquiry or investigation under this rule shall, upon conclusion of such action, be included in the annual report required under Iowa Code section 256E.12.

19.13(2) *Annual report.* As part of the charter school contract, the charter school shall submit an annual report to assist the state board in evaluating the charter school's performance and compliance with the performance framework.

19.13(3) *Noncompliance or unsatisfactory performance.* If a charter school's performance under the charter school contract or compliance with applicable laws or rules is unsatisfactory, the state board shall notify the charter school of the perceived problem and provide reasonable opportunity for the school to remedy the problem, unless the problem warrants revocation, in which case the revocation provisions of this rule apply.

19.13(4) *Corrective actions and sanctions.* The state board may take appropriate corrective actions or impose sanctions, other than revocation, in response to deficiencies in the charter school's performance or compliance with applicable laws and rules. Such actions or sanctions may include requiring the charter school to develop and execute a corrective action plan within a specified time period.

19.13(5) *Renewal.* A charter school contract may be renewed for periods of time not to exceed an additional five years.

19.13(6) *Charter school performance report.* Annually, by June 30, the state board shall issue a charter school performance report and charter school contract renewal application guidance to each charter school whose charter school contract will expire during the following school budget year. The performance report shall summarize the charter school's performance record to date based on the data required by the charter school contract and by this chapter and shall identify concerns that may jeopardize renewal of the charter school contract if not remedied. The charter school shall have 60 days to respond to the performance report and submit any corrections or clarifications for the report.

19.13(7) *Renewal application guidance.* The renewal application guidance shall, at a minimum, include the criteria that will be used when assessing charter school contract renewal decisions and provide an opportunity for the charter school to:

- a. Present additional evidence beyond the data contained in the performance report.
- b. Describe improvements undertaken or planned for the charter school.
- c. Describe the charter school's plans, including any proposed modifications, for the next charter school contract term.

19.13(8) *Application deadlines.* No later than October 1, the governing board of a charter school seeking renewal shall submit a renewal application to the state board pursuant to the renewal application guidance. A renewal or denial shall be approved by resolution of the state board within 60 days following the filing of the renewal application.

19.13(9) *State board responsibilities.* Unless eligible for expedited renewal under subrule 19.13(13), when reviewing a charter school contract renewal application, the state board shall do all of the following:

- a. Use evidence of the school's performance over the term of the charter school contract in accordance with the applicable performance framework.
- b. Ensure that data used in making renewal decisions is available to the charter school and the public.
- c. Provide a report summarizing the evidence that served as a basis for the decision.

19.13(10) *Revocation or nonrenewal.* A charter school contract may be revoked at any time or not renewed if the state board determines that the charter school did any of the following:

- a. Committed a material violation of any of the terms, conditions, standards, or procedures required under the charter school contract or this chapter.

b. Failed to meet or make sufficient progress toward the performance expectations set forth in the charter school contract.

c. Failed to meet generally accepted standards of fiscal management.

d. Violated a provision of law from which the charter school was not exempted.

19.13(11) *Contract revocation and nonrenewal standards and procedures.* The state board shall develop charter school contract revocation and nonrenewal standards and procedures that do all of the following:

a. Provide the charter school with a timely notice of the possibility of revocation or nonrenewal and of the reasons therefor.

b. Allow the charter school a reasonable period of time in which to prepare a response to any notice received.

c. Provide the charter school an opportunity to submit documents and give testimony challenging the decision to revoke the charter school contract or the decision to not renew the contract.

d. Allow the charter school the opportunity to hire legal representation and to call witnesses.

e. Permit the audio or video recording of such proceedings described in paragraphs 19.13(11) “*c*” and “*d*.”

f. Require a final decision to be conveyed in writing to the charter school.

19.13(12) *Reasons for revocation or nonrenewal.* A decision to revoke or to not renew a charter school contract shall be by resolution of the state board and shall clearly state the reasons for the revocation or nonrenewal.

19.13(13) *Expedited renewal.* If a charter school has been evaluated and graded to be in the exceptional category on the attendance center rankings, or the highest rated category under a succeeding evaluation system, under the evaluation and grading required under Iowa Code section 256E.9(5), for the immediately preceding two school years, and the charter school is in compliance with the current charter school contract and all provisions of this chapter, the charter school’s application renewal under subrule 19.13(8) shall be renewed for an additional period of time equal to the length of the original charter school contract or the most recent renewal of the contract, whichever is longer, unless the state board provides written notice to the charter school of the state board’s rejection of the expedited renewal within 60 days of the filing of the application. The state board shall not reject an expedited renewal application unless the state board finds exceptional circumstances for the rejection or seeks material changes to the charter school contract.

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